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EPA Orders Norfolk Southern to Conduct All Cleanup Actions Associated with the East Palestine Train Derailment

EPA order comes as state-led emergency response transitions to environmental cleanup phase; EPA will continue to work with local, state, and federal partners to ensure the health and safety of East Palestine community

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WASHINGTON — Today, the U.S. Environmental Protection Agency (EPA) ordered Norfolk Southern to conduct all necessary actions associated with the cleanup from the East Palestine, Ohio, train derailment. As part of EPA's legally binding order, Norfolk Southern will be required to:

- Identify and clean up contaminated soil and water resources.
- Reimburse EPA for cleaning services to be offered to residents and businesses to provide an additional layer of reassurance, which will be conducted by EPA staff and contractors.
- Attend and participate in public meetings at EPA's request and post information online.
- Pay for EPA's costs for work performed under this order.

As part of the order, EPA will approve a workplan outlining all steps necessary to clean up the environmental damage caused by the derailment. If the company fails to complete any actions as ordered by EPA, the Agency will immediately step in, conduct the necessary work, and then seek to compel Norfolk Southern to pay triple the cost.

“The Norfolk Southern train derailment has upended the lives of East Palestine families, and EPA's order will ensure the company is held accountable for jeopardizing the health and safety of this community,” **said EPA Administrator Michael S. Regan.** “Let me be clear: Norfolk Southern will pay for cleaning up the mess they created and for the trauma they've inflicted on this community. I'm deeply grateful to the emergency responders, including EPA personnel, who've been on the ground since day one and ensured there was no loss of life as a result of this disaster. As we transition from emergency response, EPA will continue to coordinate closely with our local, state, and federal partners through a whole-of-government approach to support the East Palestine community during the remediation phase. To the people of East Palestine, EPA stands with you now and for as long as it may take.”

To address the concerns of residents regarding potential indoor contamination, EPA will offer cleaning services to area businesses and families. The Agency has extensive experience with similar cleaning programs in other Midwestern communities. Under the terms of the order, Norfolk Southern will reimburse EPA for the costs of these cleaning services. More details about how community members can request this service will be available this week.

EPA's order marks the transition of the multi-agency response from its “emergency phase” to a longer-term remediation phase. To help implement the order, EPA will establish a “unified command structure” to coordinate the clean-up related efforts of

FEMA, HHS, Ohio EPA, Ohio EMA, PA DEP, as well as Norfolk Southern. This approach is frequently used in situations where multiple agencies need to work together. In this case, the response includes federal, state and local agencies across multiple states.

EPA issued this unilateral administrative order pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, which gives EPA the authority to order those responsible for pollution to clean it up. The order takes effect two days after signature, though the cleanup work has already begun and will continue.

Background

As soon as EPA was notified of the Norfolk Southern train derailment on Friday, February 3, EPA personnel were on-site by 2 a.m. Saturday morning to assist with air monitoring. Since then, EPA has been boots-on-the-ground, leading robust air-quality testing – including with the state-of-the-art ASPECT plane and a mobile analytical laboratory – in and around East Palestine.

EPA has assisted with indoor air monitoring of more than 550 homes under a voluntary screening program offered to residents, and no detections of vinyl chloride or hydrogen chloride were identified above levels of concern. EPA is continuing to provide screening to all residents within the evacuation zone.

More information about EPA's ongoing response to the East Palestine train derailment is available on EPA's website: <https://response.epa.gov/EastPalestineTrainDerailment> <<https://response.epa.gov/eastpalestinetrainderailment>>.

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